

+  
ANDREW H. WILSON

**WILSON CAMPILONGO LLP**  
475 GATE 5 ROAD, SUITE 212  
SAUSALITO, CALIFORNIA 94965  
(415) 289-7100  
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**TELECOPY COVER LETTER**

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DATE: 7/26/04

TO: Ford Greene, Esq.

FACSIMILE: (415) 456-5318

Total No. of Pages (including cover letter): 18  
Appeal Case# A107100

RE: *CSI v. Armstrong*

FROM: Angela for Andrew H. Wilson, Esq.

TELEPHONE: (415)289-7100

NOTE: Completed Case Screening Form, blank Case Screening Form, Instruction Sheet, Rule 3.5, and completed Civil Case Information Sheet.

CHECK ONE:

\*  Document is also being transmitted by mail

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cc:

TELEPHONE:

OUR FILE NUMBER: SCIO2-028

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### COURT OF APPEAL, FIRST APPELLATE DISTRICT CASE SCREENING FORM

*This form should be submitted to the clerk of the Court of Appeal for transmittal to the mediation program administrator. The form will not be entered in the court file. Attach pertinent documents, e.g., any judgment, findings of fact, statement of decision, or order appealed from. Attach additional pages if necessary.*

Church of Scientology Intl.  
Case Name: v. Gerald Armstrong Case No: A107100 (MSC #CV021632)

Your Name: Andrew H. Wilson State Bar No.: 63209

Counsel for: Petitioner, Church of Scientology Intl.

**Subject Matter (Check all that apply):**

- Attorney's Fees
- Business/Contract
- Construction
- Employment
- Other (specify): \_\_\_\_\_
- Family Law
- Insurance
- Intellectual Property
- Medical Malpractice
- Personal Injury
- Probate
- Professional Negligence
- Real Estate

Number of Parties: 2 Date Notice of Appeal Filed: 7/15/04

Appellant: Church of Scientology Intl. Counsel: Andrew H. Wilson  
Firm: Wilson Campilongo LLP  
Address: 475 Gate 5 Rd., Ste. 212, Sausalito, CA 94965  
Tel: 415/289-7100 FAX: 415/289-7110 E-mail: ahw@wilsoncampilongo.com

Respondent: Gerald Armstrong Counsel: Ford Greene  
Firm: HUB Law Offices  
Address: 7-11 Sir Francis Drake Blvd., San Anselmo, CA 94960  
Tel: 415/258-0360 FAX: 415/456-5318 E-mail: \_\_\_\_\_

Cross-Appellant: \_\_\_\_\_ Counsel: \_\_\_\_\_  
Firm: \_\_\_\_\_  
Address: \_\_\_\_\_  
Tel: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other Parties: See Attachment

Trial Court: Marin Superior Court Case No.: CV021632  
Trial Judge: Hon. Lynn Duryee

**The trial court judgment resulted from:**

- Jury Trial  Court Trial  Summary Judgment  Demurrer
- Dismissal  Nonsuit  Arbitration Award  Administrative Mandamus
- Order (specify): \_\_\_\_\_
- Other (specify): \_\_\_\_\_

What was the judgment?: \$500,000.

What was the last settlement demand? \$ n/a Offer \$

Identify all ADR processes in this case in which you have participated (e.g., mediation, arbitration, or settlement conferences). State the name of all judges, mediators, or other neutral parties involved: None; Respondent did not appear for the scheduled settlement conference.

Briefly state the facts of this case: See attached Paragraph #1.

List the appellate issues that you anticipate: See attached Paragraph #2.

This is a case of first impression. (Specify): This case principally involves the validity or interpretation of a statute, ordinance, or regulation. (Specify):

Related case or cases: Name: Church of Scientology Intl. v. Marin Superior Court, et al. Court: Court of Appeal No. A107095 (MSC# CV157680)

What is the outcome that you seek in this case? X Damages (specify): \$ 50,000 for each of the 131 breaches. Equitable Relief (specify): Other (specify):

Describe any ongoing personal, professional, or business relationship between any of the parties to this appeal: None.

Identify all persons, other than the parties, whose agreement is necessary for the settlement of this appeal and any related litigation or dispute (e.g., an insurance adjuster, spouse, or lien holder): None other than parties.

What else should be considered in determining whether this case should be submitted to mediation? See attached Paragraph #3.

11/1/02

**Court of Appeal, First Appellate District Case Screening Form**

*Attachment Page No. 1*

Briefly state the facts of this case:

Paragraph #1) Petitioner and Respondent entered into a settlement agreement in 1986 which Respondent has admittedly breached on hundreds of occasions. Despite a liquidated damages provision which was found valid in a previous case, the trial court refused to award damages in accordance with that provision and limited damages to \$500,000.

List Appellate Issues that you anticipate:

Paragraph #2) Issue on appeal is whether the trial court erred in refusing to enforce the liquidated damages provision and, specifically, whether this refusal contravenes the trial court's ruling in the earlier, related case, the judgment in which was final in 1997.

What else should be considered in determining whether this case should be submitted to mediation?

Paragraph #3) Petitioner submits that this case is appropriate for mediation. This appeal is the latest chapter in litigation which arose from a settlement of still earlier litigation. The provisions of that agreement have been finally adjudicated to be valid and binding, despite which Respondent continues breaching the agreement. A judicial declaration is essential.

**PROOF OF SERVICE**

I, the undersigned, declare:

I am employed in the County of Marin, State of California. I am over the age of 18 and not a party to the within action; my business address is 475 Gate 5 Road, Suite 212, Sausalito, California 94965.

On July 26, 2004, I served the foregoing document(s) described as follows:

**PETITIONER'S COMPLETED COURT OF APPEAL CASE SCREENING FORM, BLANK COURT OF APPEAL CASE SCREENING FORM; INFORMATION SHEET; and LOCAL RULE 3.5**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached service list, as follows:

- XX BY MAIL:
- XX VIA FACSIMILE
- BY HAND DELIVERY

Ford Greene, Esq.  
HUB Law Offices of Ford Greene  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

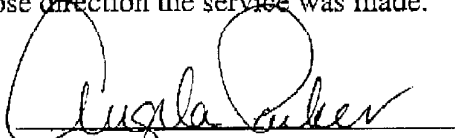
Facsimile No.: (415) 456-5318

Executed on July 26, 2004, at Sausalito, California

XX (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

   (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Angela Parker  
(Type or Print Name)

  
(Signature)

# COURT OF APPEAL, FIRST APPELLATE DISTRICT MEDIATION PROGRAM INFORMATION

*(See the attached local rule 3.5 and Case Screening Form  
and the instructions on the next page.)*

Under local rule 3.5, the Court of Appeal, First Appellate District, may select your case for mandatory mediation, or any party may confidentially request in writing to be included in the mediation program. Either way, mediation is an opportunity to be welcomed by you and your client.

## Mediation

Mediation is an informal, *confidential* process in which a neutral party (the mediator) assists the parties in understanding their own interests, the interests of the other parties, and the practical and legal realities they all face. The mediator helps the parties explore options and arrive at a mutually acceptable resolution of the dispute. The mediator does not resolve the dispute. The parties do.

## Advantages of appellate mediation

- **Mediation can avoid the risk of reversal.** Even if you have obtained a judgment in the trial court, there is a significant chance that it may be reversed on appeal and remanded for further, costly proceedings.
- **Mediation can avoid financial risk.** A judgment may be worth less than face value if there is a significant risk that the judgment debtor will go bankrupt or if a delayed judgment satisfaction will have adverse effects. In addition, a mediated resolution may avoid or mitigate unfavorable tax effects.
- **Mediation can bring more satisfactory results.** Often the trial court judgment does not satisfy even the prevailing party. A mediator can assist the parties to achieve their real interests.
- **Mediation can save money.** The mediation process begins at the outset of the appeal. This can save substantial costs of preparing the record and briefs.
- **Mediation can save time.** Mediation can resolve a dispute in a matter of days, while an appeal can take months.
- **Mediation can provide greater client participation.** Clients often are frustrated by a restricted role in pretrial and trial proceedings. Once the trial record is complete, clients can have greater participation and satisfaction in determining the resolution of their disputes. Often, this aids attorney-client relations.
- **Mediation can reduce stress.** Mediation encourages cooperation and communication, while discouraging the adversarial atmosphere of litigation. Litigation is very stressful. Most people reach a point where they want to get on with their life, with their business, and, sometimes, with their relationship with other parties.

82301

*Subject matter*

Although some disputes require an appellate decision, almost any dispute can be resolved through mediation. This includes disputes involving business matters, civil rights, corporations, construction, consumer protection, contracts, copyrights, defamation, disabilities, discrimination, domestic relations, employment, environment, harassment, health care, housing, insurance, intellectual property, labor, landlord/tenant relations, the media, medical malpractice and other professional negligence, neighborhood problems, partnerships, patents, personal injury, probate, product liability, property damage, real estate, securities, sports, and taxes, among other matters.

*Mediators*

The court has recruited experienced mediators and appellate specialists, based on their training, experience, and performance. In addition, the court provides intensive training in appellate mediation. A mediator will be matched to specific disputes, normally on a pro bono basis, or the parties may choose their own mediator at market rates, as long as the mediator follows the rules and policies of the court's mediation program.

*Mediation process*

The mediation process commences as soon as possible after the filing of the *Notice of Appeal*, to save the parties as much money and time as possible in record and brief preparation. If your case is selected, you will be contacted promptly by the mediation program administration with instructions, assignment to a mediator, and scheduling of a confidential mediation session. After the mediation session, participants evaluate the mediation, the mediator, and the mediation program. *Evaluation is essential to maintaining the quality of the mediation program and is required by local rule 3.5. The mediation process does not extend the time periods for preparation of the record, briefing, or other aspects of the appeal.*

*Instructions*

**Appellants:** Within 10 days of the filing of the *Notice of Appeal*, file a completed Case Screening Form and pertinent documents with the clerk of this court and serve all other parties with a copy of **ALL OF THE FOLLOWING:** (1) your completed Case Screening Form, (2) a blank Case Screening Form, (3) this information sheet, and (4) local rule 3.5.

**Other parties:** Within 15 days of the filing of the *Notice of Appeal*, file a completed Case Screening Form with the clerk of this court and serve it on all other parties.

*For further information, call the mediation program administration, 415-865-7373. Thank you for your anticipated cooperation.*



Hon. Ignazio J. Ruvolo  
Associate Justice, First Appellate District



John A. Toker  
Mediation Program Administrator

8/23/01

### **Rule 3.5. Mediation in Civil Appeals**

(a) [Mediation Program] To aid the expeditious and just resolution of civil appeals, the Court of Appeal for the First District has established a mediation Program ("Program"). Procedures for mediation and operation of the Program shall be promulgated by the First District Mediation Committee ("Committee"). The Program will be directed by a Mediation Program Administrator ("Administrator") acting under Committee procedures and supervision by the Administrative Presiding Justice or a designated Supervising Justice. This rule is not meant to replace Local Rule 3, but to create an additional alternative dispute resolution process.

(b) [Scope of Mediation Program] Any civil appeal may be placed in the Program if selected by the Administrator or requested in writing by a party. The Administrator may remove an appeal from the Program and shall record the reasons for removal.

(c) [Mediators] The Committee shall specify the qualifications, training, and process for appointment of mediators in the Program. The Administrator will assign mediators to appeals. Mediation services will be furnished by the Court without fee to the parties, provided that a mediation session exceeding 4 hours may be terminated by the mediator unless the parties and the mediator agree upon a fee payable to the mediator for continued services. The Administrator may replace a selected mediator upon written request by a party supported by a showing of good cause or upon request of the mediator.

(d) [Mediation Process]

(1) Within 10 days of the filing of the notice of appeal, the appellant shall file with the Clerk and shall serve on all other parties a completed Case Screening Form. Within 15 days of the filing of the notice of appeal, the other parties shall file with the Clerk and shall serve on all other parties their Case Screening Forms. The Case Screening Forms shall be transmitted by the Clerk to the Administrator and shall not be entered in the court file.

(2) The Administrator, within 10 days of receipt of the Case Screening Forms, shall notify the parties when a case is selected for mediation and furnish the name, address and telephone number of the mediator. At the same time, the Administrator shall furnish the mediator copies of the Case Screening Forms.

(3) The Administrator, within 5 days of selection of the mediator, shall furnish to the parties 3 dates within the next 30 days when the mediator is available for the mediation session.

(4) The parties, within 5 days of receipt of these dates, shall advise the Administrator of their scheduling preferences. The Administrator, after conferring with the mediator, promptly shall select the date and site for the mediation session and shall notify the parties.



(5) The mediator, with the approval of the Administrator, may, for good cause, postpone or continue a mediation session to a date certain.

(6) The mediator may require parties or their counsel to furnish information, documents, records or other items specified by the mediator.

(7) The mediator may at any time communicate with any of the parties or their counsel with or without notice to the other parties or their counsel.

(8) All parties and their counsel must attend all mediation sessions in person. If the party is not an individual, then a party representative with full authority to settle all appeals and cross-appeals must attend all mediation sessions in person, in addition to counsel. If a party has potential insurance coverage applicable to any of the issues in dispute, a representative of each insurance carrier whose policy may apply also must attend all mediation sessions in person, with full settlement authority. Any exception to this requirement must be approved in writing by the Administrator.

The mediator may invite participation by any additional person or entity if the mediator concludes that such participation would facilitate mediation.

(9) No later than 10 days after completion of mediation, the mediator shall submit to the Administrator a Mediation Attendance Form, listing all participants in the mediation, and a Mediator's Statement, notifying the Administrator of the results of the mediation.

(10) No later than 10 days after completion of mediation, the parties and their counsel shall separately complete and submit to the Administrator evaluations of the mediation and the mediator on a form provided by the Administrator.

(11) The parties and their counsel shall take the steps necessary to implement the agreements reached in mediation.

(e) [Confidentiality] Except as otherwise required by law, information disclosed to the mediator, the parties, counsel, or any other participant in the mediation, or to the Administrator or the Coordinator of the mediation Program, shall be confidential and shall not be disclosed to anyone not participating in the mediation Program.

(f) [Ethical Standards] Mediators shall adhere to the rules of conduct for mediators in court-connected mediation programs for civil cases, California Rules of Court, rules 1620-1620.9.

(g) [Appellate Process] Parties and counsel shall comply with all rules applicable to processing appeals while concurrently participating in the mediation Program.

(h) [Sanctions] Monetary sanctions may be imposed by the Administrative Presiding Justice or Supervising Justice for failure to comply with these rules.

(Adopted, eff. Feb. 1, 2000, amended eff. October 7, 2002).

**COURT OF APPEAL, FIRST APPELLATE DISTRICT  
CASE SCREENING FORM**

*This form should be submitted to the clerk of the Court of Appeal for transmittal to the mediation program administrator. The form will not be entered in the court file. Attach pertinent documents, e.g., any judgment, findings of fact, statement of decision, or order appealed from. Attach additional pages if necessary.*

Case Name: \_\_\_\_\_ Case No: \_\_\_\_\_

Your Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**Subject Matter (Check all that apply):**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Attorney's Fees        | <input type="checkbox"/> Family Law            | <input type="checkbox"/> Personal Injury         |
| <input type="checkbox"/> Business/Contract      | <input type="checkbox"/> Insurance             | <input type="checkbox"/> Probate                 |
| <input type="checkbox"/> Construction           | <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Professional Negligence |
| <input type="checkbox"/> Employment             | <input type="checkbox"/> Medical Malpractice   | <input type="checkbox"/> Real Estate             |
| <input type="checkbox"/> Other (specify): _____ |  |  |

Number of Parties: \_\_\_\_\_ Date Notice of Appeal Filed: \_\_\_\_\_

Appellant: \_\_\_\_\_ Counsel: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Respondent: \_\_\_\_\_ Counsel: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Cross-Appellant: \_\_\_\_\_ Counsel: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_ FAX: \_\_\_\_\_ E-mail: \_\_\_\_\_

Other Parties: \_\_\_\_\_ See Attachment.

Trial Court: \_\_\_\_\_ Case No.: \_\_\_\_\_

Trial Judge: \_\_\_\_\_

The trial court judgment resulted from:

- Jury Trial  Court Trial  Summary Judgment  Demurrer  
 Dismissal  Nonsuit  Arbitration Award  Administrative Mandamus  
 Order (specify): \_\_\_\_\_  
 Other (specify): \_\_\_\_\_

What was the judgment?: \_\_\_\_\_

What was the last settlement demand? \$ \_\_\_\_\_ Offer \$ \_\_\_\_\_

Identify all ADR processes in this case in which you have participated (e.g., mediation, arbitration, or settlement conferences). State the name of all judges, mediators, or other neutral parties involved: \_\_\_\_\_

Briefly state the facts of this case: \_\_\_\_\_

List the appellate issues that you anticipate: \_\_\_\_\_

This is a case of first impression.  
(Specify): \_\_\_\_\_

This case principally involves the validity or interpretation of a statute, ordinance, or regulation.  
(Specify): \_\_\_\_\_

Related case or cases:  
Name: \_\_\_\_\_

Court: \_\_\_\_\_ No. \_\_\_\_\_

What is the outcome that you seek in this case?  
 Damages (specify): \$ \_\_\_\_\_

Other relief (specify): \_\_\_\_\_

Describe any ongoing professional, or business relationship between any of the parties to this appeal: \_\_\_\_\_

Identify all persons, other than the parties, whose agreement is necessary for the settlement of this appeal and any related dispute (e.g., an insurance adjuster, sponsor, or lien holder): \_\_\_\_\_

What else should be considered in determining whether this case should be submitted to mediation? \_\_\_\_\_

11/1/02

TO BE FILED IN THE COURT OF APPEAL

APP-004

<b>CIVIL CASE INFORMATION STATEMENT</b>		Court of Appeal Case Number (if known):
COURT OF APPEAL <u>First</u> APPELLATE DISTRICT, DIVISION <u>4</u>		A107100
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Andrew H. Wilson (SBN 63209) Wilson Campilongo 475 Gate 5 Rd., Ste 212, Sausalito, CA 94965 TELEPHONE NO: (415)289-7100 E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Church of Scientology International FAX NO. (Optional): (415)289-7110		FOR COURT USE ONLY
APPELLANT: Church of Scientology International RESPONDENT: Gerald Armstrong		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Marin STREET ADDRESS: 3501 Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: San Rafael, CA 94913 BRANCH NAME:		
JUDGES (all who participated in case): Hon. Lynn Duryee		Superior Court Case Number: CV021632
NOTE TO APPELLANT: You must file this form with the clerk of the Court of Appeal within 10 days after the clerk mails you a notice that this form must be filed. You must attach to this form (1) a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 2(c) for definition of "entered") and (2) proof of service of this form on all parties to the appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2), or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).		

PART I - APPEAL INFORMATION

A. APPEALABILITY

1. Appeal is from:

- Judgment after jury trial
- Judgment after court trial
- Default judgment
- Judgment after an order granting a summary judgment motion
- Judgment of dismissal under Code Civ. Proc., §§ 581d, 583.250, 583.360, or 583.430
- Judgment of dismissal after an order sustaining a demurrer
- An order after judgment under Code Civ. Proc., § 904.1(a)(2)
- An order or judgment under Code Civ. Proc., § 904.1(a)(3)-(13)
- Other (describe and specify code section that authorizes this appeal):

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?  
 Yes  No. If no, please explain why the judgment is appealable:

B. TIMELINESS OF APPEAL (Provide all applicable dates.)

1. Date of entry of judgment or order appealed from: 5/20/04 (Exhibit "A" attached)
2. Date that notice of entry of judgment or a copy of the judgment was mailed by the clerk or served by a party under California Rules of Court, rule 2: n/a
3. Was a motion for new trial, judgment notwithstanding the verdict, reconsideration, or to vacate the judgment made and denied?  
 Yes  No. If yes, please specify the type of motion:  
 Date motion filed:        /        /        Date denied:        /        /        Date denial served:        /        /
4. Date notice of  appeal or  cross-appeal filed:        /        /

C. BANKRUPTCY OR OTHER STAY

Is there a related bankruptcy case or a court-ordered stay that affects this appeal.  Yes  No. If yes, please attach a copy of the bankruptcy petition (without attachments) and any stay order.

APPELLATE CASE TITLE: Church of Scientology Intl. v. Armstrong	SUPERIOR COURT CASE NUMBER: CV021632
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D. APPELLATE CASE HISTORY (Provide additional information, if necessary, on attachment I.D.)  
 Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court?  Yes  No If yes, insert name of appellate court: See attached page.  
 Appellate court case no.: Title of case:  
 Name of trial court: Trial court case no.:

E. SERVICE REQUIREMENTS  
 Is service of documents in this matter, including a brief or a petition, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 44.5 or a statute?  Yes  No If yes, please indicate the rule or statute that applies.

<input type="checkbox"/> Rule 44.5(a)	<input type="checkbox"/> Gov. Code, § 4461 (Disabled access to public buildings)
<input type="checkbox"/> Bus. & Prof. Code, § 17209 (Unfair Competition Act)	<input type="checkbox"/> Gov. Code, § 12656(a) (False Claims Act)
<input type="checkbox"/> Bus. & Prof. Code, § 17536.5 (False advertising)	<input type="checkbox"/> Health & Saf. Code, § 19954.5 (Accessible seating and accommodations)
<input type="checkbox"/> Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; anti-boycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney)	<input type="checkbox"/> Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations)
<input type="checkbox"/> Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing)	<input type="checkbox"/> Other (please specify statute):

NOTE: The rule and statutory provisions listed above require service of a copy of a party's brief or petition and brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply. (See, e.g., Code Civ. Proc., § 1355; Gov. Code, § 946.6(d); Pub. Resources Code, § 21167.7.)

**PART II - NATURE OF ACTION**

A. Nature of action (check all that apply):

1.  Conservatorship
2.  Contract
3.  Eminent domain
4.  Equitable action a.  Declaratory relief b.  Other (describe):
5.  Family law
6.  Guardianship
7.  Probate
8.  Real property rights a.  Title of real property b.  Other (describe):
9.  Tort
 

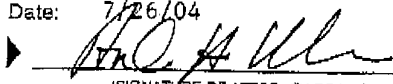
a. <input type="checkbox"/> Medical malpractice	b. <input type="checkbox"/> Product liability
c. <input type="checkbox"/> Other personal injury	d. <input type="checkbox"/> Personal property
e. <input type="checkbox"/> Other tort (describe):	
10.  Trust proceedings
11.  Writ proceedings in superior court
 

a. <input type="checkbox"/> Mandate (Code Civ. Proc., § 1085)	b. <input type="checkbox"/> Administrative mandate (Code Civ. Proc., § 1094.5)
c. <input type="checkbox"/> Prohibition (Code Civ. Proc., § 1102) d. <input type="checkbox"/> Other (describe):	
12.  Other action (describe):

B.  This appeal is entitled to calendar preference/priority on appeal (cite authority):

**PART III - PARTY AND ATTORNEY INFORMATION**

Please attach to this form a list of all the parties and all their attorneys of record who will participate in the appeal. For the parties, include the following information: the party's name and his or her designation in the trial court proceeding (plaintiff, defendant, etc.). For the attorneys, include the following information: name, State Bar number, mailing address, telephone number, fax number, and e-mail address.

Date: 7/26/04  
 This statement is prepared and submitted by:   
 (SIGNATURE OF ATTORNEY OR UNREPRESENTED PARTY)

**Court of Appeal, Civil Case Information Sheet**

*Attachment Page No. 1*

Civil Case Information Sheet, Section "D," Appellate Case History

Appellate Court: Court of Appeal, First Appellate District, Division 4  
Appellant Case No.: A107095  
Name of Trial Court: Marin County Superior Court  
Title of Case: Church of Scientology International v. Superior Court of Main  
County Superior Court, et al  
Trial Court Case No.: MSC Case No. CV157680

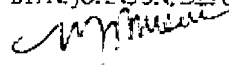
Appellate Court: Court of Appeal, First Appellate District, Division 4  
Appellant Case No.: A075027  
Name of Trial Court: Marin County Superior Court  
Title of Case: Gerald Armstrong v. Church of Scientology International  
Trial Court Case No.: MSC Case No. CV157680

**"A" EXHIBIT**

**FILED**

**MAY 20 2004**

**JOHN P. MONTGOMERY,**  
Court Clerk  
**MARIN COUNTY SUPERIOR COURT**  
BY: N. JOHNSON, DEPUTY



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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF MARIN**

**CHURCH OF SCIENTOLOGY  
INTERNATIONAL,**

Plaintiff,

vs.

**GERALD ARMSTRONG,**

Defendant.

) **CASE NO.: 157680**

) [Consolidated with Case No. CV021632 per  
) Order dated April 9, 2004]

) **ORDER GRANTING PLAINTIFF'S  
) MOTION FOR JUDGMENT**

This matter came regularly on for trial on April 9, 2004. Plaintiff, Church of  
Scientology International, appeared by its counsel, Andrew H. Wilson. Defendant Gerald  
Armstrong appeared and was represented by counsel, Ford Greene, Esq.

///

///

///

**GRANTING PLAINTIFF'S MOTION FOR JUDGMENT**

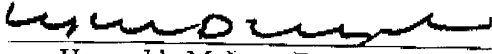


1 After hearing opening statements of the parties, taking judicial notice of the various  
2 pleadings and papers on file in the consolidated actions *Church of Scientology International v.*  
3 *Armstrong*, Case No. 152229 and *Church of Scientology International v. Armstrong*, Case No.  
4 157680, the Court made the following ruling:

5  
6 Mr. Armstrong received a benefit under the settlement agreement of \$800,000. It  
7 would be unconscionable to punish him beyond what the benefit was that was  
8 conferred to him. Armstrong was previously sanctioned in the sum of \$300,000.  
9 Judgment is therefore entered for plaintiff, on the admitted violations, of \$500,000.

10  
11 GOOD CAUSE appearing therefor it is hereby ORDERED that judgment shall be  
12 entered in favor of plaintiff and against defendant in the amount of \$500,000.00.

13  
14  
15 DATED: 5/20/01

16   
17 Honorable M. Lynn Duryee  
18 JUDGE OF THE SUPERIOR COURT

19  
20  
21  
22  
23  
24  
25  
2  
**ORDER GRANTING PLAINTIFF'S MOTION FOR JUDGMENT**

**PROOF OF SERVICE**

I, the undersigned, declare:

I am employed in the County of Marin, State of California. I am over the age of 18 and not a party to the within action; my business address is 475 Gate 5 Road, Suite 212, Sausalito, California 94965.

On July 26, 2004, I served the foregoing document(s) described as follows:

**PETITIONER'S CIVIL CASE INFORMATION STATEMENT**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached service list, as follows:

- XX BY MAIL:
- XX VIA FACSIMILE
- BY HAND DELIVERY

Ford Greene, Esq.  
HUB Law Offices of Ford Greene  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

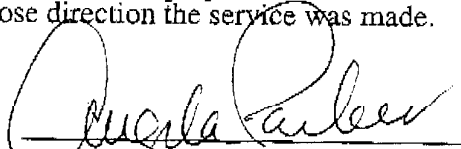
Facsimile No.: (415) 456-5318

Executed on July 26, 2004, at Sausalito, California

XX (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

   (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Angela Parker  
(Type or Print Name)

  
(Signature)